

Message Text

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ACTION EUR-12

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AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY OSLO

AMEMBASSY PARIS

AMEMBASSY COPENHAGEN

AMEMBASSY THE HAGUE

AMEMBASSY STOCKHOLM

AMEMBASSY VIENNA

AMEMBASSY OTTAWA

USMISSION EC BRUSSELS

USMISSION GENEVA

C O N F I D E N T I A L MADRID 826

E.O. 11652: GDS

TAGS: ELAB, SP

SUBJECT: "CARABANCHEL TEN" CASE REAPPEARS ON SPANISH SCENE

REF A. A-48 OF FEB 22, 1974 B. MADRID 160

BEGIN SUMMARY: "CARABANCHEL TEN" POLITICAL TRIAL IS BACK IN NEWS.

SPANISH SUPREME COURT HAS RECENTLY ANNOUNCED IT WILL HOLD LONG-

PENDING APPEAL HEARING ON CASE ON FEB 11, 1975. SAME BROAD

OPPOSITION TEAM OF LAWYERS WHO DEFENDED "CARABANCHEL TEN" AT THEIR

DEC 1973 TRIAL WILL PARTICIPATE IN HEARING, AND THEY HAVE ALSO

MOUNTED EFFORT TO FOCUS INT'L ATTENTION ON CASE AND HAVE INVITED

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FOREIGN OBSERVERS FROM WESTERN EUROPEAN COUNTRIES AND NORTH

AMERICA TO ATTEND FEB 11 HEARING. THEY HAVE NOT YET RECEIVED REPLY FROM RAMSEY CLARK, HEAD OF U.S. "CARABANCHEL TEN" COMMITTEE, AS TO WHETHER HE OR OTHER AMERICAN OBSERVERS WILL ATTEND HEARING. LAWYERS INVOLVED IN CASE BELIEVE HEARING WILL RESULT IN SUBSTANTIAL COMMUTATION OF CURRENT 12-20 YEAR JAIL SENTENCES TO AVERAGE 5-6 YEAR SENTENCES FOR NINE JAILED COMMUNIST WORKERS COMMISSIONS LEADERS (INCLUDING LEGENDARY MARCELINO CAMACHO) AND ONE WORKER PRIEST WHO COMPRISE "CARABANCHEL TEN". END SUMMARY.

1. SPANISH SUPREME COURT HAS ANNOUNCED THAT ON FEB 11, 1975, IT WILL HEAR APPEALS FILED ON BEHALF OF "CARABANCHEL TEN", WHICH APPEALS HAVE BEEN PENDING EVER SINCE TEN WORKERS COMMISSIONS LEADERS ARRESTED IN CASE WERE FOUND GUILTY AND SENTENCED TO 12-20 YEAR JAIL TERMS AT THEIR DEC 1973 TRIAL.

2. SAME BROAD RANGE OF OPPOSITION LAWYERS WHO DEFENDED "CARABANCHEL TEN" AT THEIR 1973 TRIAL, INCLUDING SUCH PROMINENT CHRISTIAN DEMOCRATS AS JOAQUIN RUIZ GIMENEZ AND JOSE MARIA GIL ROBLES AND COMMUNIST LAWYERS JOSE MANUEL LOPEZ AND CRISTINA ALMEIDA, WILL PARTICIPATE IN APPEALS HEARING, WHICH WILL TAKE PLACE WITHOUT PHYSICAL PRESENCE OF "CARABANCHEL TEN" IN COURTROOM AND COULD LAST AS LONG AS TWO DAYS.

3. LAWYERS ARE REPORTEDLY GOING TO USE SAME ARGUMENTS AS IN TRIAL, WITH ADDED ARGUMENT THAT DEFENDANTS DID NOT RECEIVE FAIR TRIAL ON DEC 20, 1973 BECAUSE OF HIGHLY CHARGED POLITICAL CLIMATE CREATED BY BOMB ASSASSINATION OF PRIMO CARRERO BLANCO THAT SAME DATE. LAWYERS WILL ALSO REQUEST IMMEDIATE RELEASE THEIR CLIENTS FROM PRISON. AFTER FEB 11 APPEALS HEARING, THERE WILL BE 10-15 DAY INTERVAL BEFORE SUPREME COURT HANDS DOWN DECISION ON APPEAL.

4. SOME OF DEFENSE LAWYERS HAVE TOLD LABATT THERE IS EFFORT UNDERWAY TO ATTRACT BROAD RANGE OF INT'L OBSERVERS TO MADRID TO ATTEND HEARING. TO THIS END THEY HAVE CONTACTED ALL NATIONAL "CARABANCHEL TEN" COMMITTEES IN WESTERN EUROPE, THE U.S., AND CANADA WHICH SENT OBSERVERS TO 1973 TRIAL, AND THEY EXPECT MANY OF THESE FOREIGN COMMITTEES WILL SEND OBSERVERS TO APPEALS HEARING. A PRESS CAMPAIGN IN WESTERN EUROPE TO RESTIMULATE INTEREST IN CASE IS ALSO UNDER WAY.

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5. RE POSSIBLE U.S. REPRESENTATION, LAWYER ASSISTING RUIZ GIMENEZ SAID THAT INVITATION HAD BEEN CABLED TO FORMER U.S. ATTORNEY GENERAL RAMSEY CLARK, WHO HEADS U.S. COMMITTEE AND ATTENDED DEC 1973 TRIAL, BUT THAT NO ANSWER HAD YET BEEN RECEIVED. SOURCE ALSO DID NOT KNOW WHETHER OTHERS OF FOUR-MAN 1973 US DELEGATION, SUCH AS MAVERICK LEFTIST TRADE UNIONIST HENRY FONER, MIGHT ATTEND ALTHOUGH HE HOPED THAT AT LEAST ONE OR TWO AMERI-

CANS WOULD SHOW UP.

6. SOURCE ALSO SAID EFFORT IS BEING MADE TO ATTRACT TRADE UNION REPS FROM WESTERN EUROPEAN COUNTRIES AND INT'L TRADE UNION BODIES AND HE FELT FRENCH CGT; 3 ITALIAN TRADE UNIONS (CGIL, CISL, AND UIL); BRITISH TUC; AND COMMUNIST WFTU (ALL OF WHOM SENT OBSERVERS TO 1973 TRIAL) WOULD SEND OBSERVERS. HE WAS SOMEWHAT DOUBTFUL ICFTU OR WCL, OR LEADING AFFILIATES LIKE GERMAN DGB, WOULD SEND OBSERVERS SINCE SOCIALIST UGT, WHICH SUCCESSFULLY DISSUADED MOST FREE TRADE GROUPINGS FROM SENDING OBSERVERS TO 1973 TRIAL DUE TO COMMUNIST EXPLOITATION OF TRIAL, WOULD BE LIKELY TO AGAIN ADVISE INT'L TRADE UNION BODIES AGAINST PARTICIPATION.

7. SOURCES QUERIED CLAIMED THAT EMPHASIS WILL BE PRIMARILY POLITICAL AND DIRECTED TOWARD ATTRACTING INT'L ATTENTION AND FOREIGN OBSERVERS, ALTHOUGH SOLIDARITY STRIKES MIGHT POSSIBLY BE CONVOKED FOR FEB 11 SHOULD SUBSTANTIAL SENTIMENT DEVELOP IN WORKERS COMMISSIONS IN FAVOR SOME SUCH STRIKE ACTION.

8. AS PART OF INT'L PROTEST ACTIVITIES, SOME OF FOREIGN GROUPS OR INDIVIDUALS EXPECTED TO ATTEND HEARING, E.G., ITALIAN UNITARY TRADE UNION DELEGATION, WILL REPORTEDLY SEEK OBTAIN PERMISSION TO INTERVIEW MARCELINO CAMACHO AND OTHERS OF "CARABANCHEL TEN" IN JAIL, ALTHOUGH THIS REQUEST IS UNLIKELY BE GRANTED. (AS MENTIONED IN REF B, AN 8-MAN ITALIAN UNITARY TRADE UNION DELEGATION CAME HERE IN DEC FOR, INTER ALIA, PURPOSE OF INTERVIEWING MARCELINO CAMACHO, BUT WERE UNSUCCESSFUL IN THAT ATTEMPT.)

9. OTHER DEVICES USED BY OPPOSITION, PARTICULARLY BY COMMUNIST ELEMENTS, IN TRYING TO AGAIN AROUSE INTEREST AND FOCUS RENEWED ATTENTION ON "CARABANCHEL TEN" ON OCCASION OF SUPREME COURT HEARING HAVE BEEN USE OF WIVES AND OTHER FEMALE RELATIVES OF "CARABANCHEL TEN" WHO HAVE ONCE AGAIN BECOME ACTIVE IN PRESENTING PETITIONS AND IN SEEKING SUPPORT. A "CARABANCHEL TEN" WIVES DELEGATION
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RECENTLY PRESENTED SUCH PETITION TO BRITISH EMBASSY. (NO WIVES DELEGATION OR PETITION HAS YET APPEARED AT U.S. EMBASSY, HOWEVER, ALTHOUGH THIS EMBASSY, ALONG WITH MOST EUROPEAN EMBASSIES WAS VISITED BY TWO-PERSON "CARABANCHEL TEN" WIVES DELEGATION AT TIME OF 1973 TRIAL).

10. COMMENT: SEVERAL DEFENSE LAWYERS BELIEVE LIKELY OUTCOME OF HEARING WILL BE THAT SUPREME COURT WILL COMMUTE SUBSTANTIALY ORIGINAL 12-20 YEAR SENTENCES IMPOSED ON "CARABANCHEL TEN". THEY BELIEVE THAT SUPREME COURT MAY REDUCE SENTENCES TO PERHAPS AS LOW AS AN AVERAGE 5-6 YEARS IN JAIL (IT SHOULD BE NOTED THAT "CARABANCHEL TEN" HAVE ALREADY SERVED NEARLY THREE YEARS IN PRISON SINCE THEIR JUNE 1972 ARRESTS). SUCH REDUCTIONS COULD GREATLY DIMINISH TENSIONS AND TORPEDO CONTINUING INT'L CAMPAIGN OVER THIS PARTICULAR CASE. IT COULD ALSO HELP ALLEVIATE SOME OF CRITICISM

CURRENTLY DIRECTED AT SPANISH GOVT DUE TO RECENT INDICATIONS OF
A HARDENING GOVT POSTURE RE PRESS, LABOR, UNIVERSITY, AND
OTHER SPHERES.

1. TURNOUT BY FOREIGN OBSERVERS FOR HEARING MAY GIVE AN INDICA-
TION TO WHAT EXTENT SPANISH ISSUES ARE ABLE TO RALLY FOREIGN
SUPPORT. THERE SOME FEELING THAT "CARABANCHEL TEN" ISSUE HAS BECOME
SOMEWHAT SHOPWORN AND LACKING IN DRAMA, AND THAT FOREIGN OBSERVERS
AND INT'L ATTENTION MAY FALL BELOW OPPOSITION'S EXPECTATIONS.
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